

## REMARKS

5       Claims 52-83 are pending in this application. Examiner in an Office Action dated 10/04/2006 has rejected claims 52-80, under 35 USC Section 103, Obviousness Rejection, as being unpatentable over Wong et al (US 6,592,044 B1) and claims 81-83 as obviousness rejection over Wong and in view of Brody et al (US 2001/0029485 A1).

10       Applicant has amended independent claims 52, 61, 67, 71, 74, and 77. Applicant has cancelled claims 81 to 83 without prejudice and has added new claims 84 and 85. The applicant believes, these amendments and new claims more particularly define what the applicant considers as the scope of the invention.

15       The amendments and additions of new claims find support throughout the specification. No new matter is believed to have been added. Applicant believes in view of these amendments, the rejection is moot.

20       Applicant believes the amended claims are not obvious over Wong and prior art common knowledge of how credit cards operate.

25       Wong, like many of the similar art of that era teaches a smart card with a microprocessor, an encryption logic, and means to enter PIN and card data. Wong further teaches means to be able to encode encrypted card data of an alias name and card number on the magnetic strip. In contrast, this invention teaches a "dumb" payment card, in the form of a payment card that is issued by a payment system and not a bankcard that is issued by a card-issuing bank.

30       The "dumb" payment card of this invention itself does not contain any smartness in the form of microprocessor or means to enter any data. The payment card of this invention contains a customer-identifier in the magnetic strip, and relies on a third party

payment system service to map that customer-identifier and a PIN entered in a merchant POS into an original credit card data of the customer before it is submitted to the credit card issuing bank, thus making the operation of the payment card transparent to the card issuer.

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Wong is like the prior cited art of Brody. Brody et al discloses a anon credit card that duplicates a credit card by having a fake card holder name, a fake card number, fake card expire date, the information present and required in a traditional credit card issued by a bank, enabling the customer to use and merchant to accept such a card. In 10 contrast the payment card of this invention is not a credit card and does not duplicate the data that is present on the credit card and does not duplicate the operation of a credit card.

The anon credit card of Brody like that of Wong having all the attributes of a real 15 credit card, may be accepted by the merchants as being transparent to their system. However, as many merchants do when they accept a credit card, they may be unable to match customer name identification proof with the credit card name as well as verify the signature, as all credit cards are signature based.

20 In contrast, the present invention payment card is not a credit card but an overlay payment card that overlays one or more existing bankcards of the customer using a customer-identifier and card specific PIN.

25 Claim 52 has been amended to distinguish that the payment card of this invention has a customer-identifier that does not contain identity of the customer with a name and a bankcard number.

30 Thus the payment card is not a credit card, as the prior art credit cards have at least embossed customer name and card number on one side of the credit card and same information of name and card number encoded in a magnetic strip on the other side of the card readable by merchant point of sale terminals.

In contrast the customer-identifier of this invention payment card has no personal identifiable data as it does not have a name and a bankcard number. The customer selected alias name printed on the substrate in the payment card as in this invention is 5 a wholly different invention in both the physical structure and operation of the payment card than Wong.

Hence claim 52 does not have any of the Wong features, as Wong does not teach a customer-identifier, and only teaches a bankcard number like a credit card. The 10 features of claim 52 would not have been obvious to one of ordinary skill in the art, at the time, as they these features go to create a "dumb card", as opposed to a smart card/electronic card.

The payment card has unique features of (i) customer identify information is not 15 on the card itself, and (ii) does not use and rely on the prior art features of name and bankcard number that are used in the processing of the card by the merchant. The payment card being a "dumb card" is mediated by a payment system that converts the customer identifier and the CPIN into a prior art card data of name and card number, before being processed by the card -issuing bank. These features of a "dumb card" 20 would not have been obvious to those engaged in the art of smart cards using electronics and encryption to protect the information on the card.

Hence the payment card of claim 52 as amended of this invention would not have been obvious to those skilled in the making of smart cards. Likewise dependent 25 claims 53 to 60 would not have been obvious to those skilled in the making of smart cards.

Claim 61 has been amended to add a similar limitation regarding the customer-identifier on the payment card. Wong does not teach a payment system where 30 customer has pre-stored plurality of his/her bank data, each identified by a different PIN.

What Wong teaches is to enter his original card in the microprocessor, and encode it via entry of a PIN and en encoding logic and then encode it on the mag strip.

Hence claim 61 is not obvious over Wong and prior art credit cards as the payment card is not a credit card, where the card issuer stores customer data regarding a singular credit card. Likewise dependent claims 62 to 66 would not have been obvious to those skilled in the making of smart cards.

Claim 67 has been amended to add further limitation regarding the payment system. Claim 67 teaches a payment system that stores a plurality of accounts, each identified by a CPIN and that is selected at the time of the payment transaction, Wong does not teach such a payment system, thus claim 67 is not obvious over Wong. Likewise dependent claims 68 to 70 would not have been obvious to those skilled in the making and use of smart cards.

Claim 71 has been amended to add a similar limitation regarding the customer identifier and the use of a PIN. As this invention teaches a payment card, not a credit card, and the payment card works in conjunction with the payment system, where the payment card overlays one or more standard bankcards via a payment system of this invention and use of card specific PINs, claim 71 is not obvious over Wong and common industry knowledge of how credit cards are issued, used and processed. Likewise dependent claims 72 to 73 would not have been obvious to those skilled in the making and use of smart cards.

Claim 74 has been amended to add a similar limitation regarding the customer identifier and the use of a PIN, where this data is meaningful only to the payment system and not to a bankcard issuer, hence the web page data is sent to the payment system. Likewise dependent claims 75 to 76 would not have been obvious to those skilled in the making and use of smart cards.

Wong does not teach the features of amended claim 77. Wong use of PIN is for encrypting the card data and not to select a specific card from a plurality of pres-stored

bankcards in the payment system. Claim 77 has been amended with similar restriction that the customer identifier does not contain customer identity data and is meaning only to the payment system. Likewise dependent claims 78 to 80 would not have been obvious to those skilled in the making and use of smart cards.

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Claims 81 to 83 have been cancelled. Newly added claims 84 and 85 are for a transformation logic that is used for bankcard data storage in a computer system. Specifically the transformation logic uses tables of offsets; offsets from these tables are applied to offset individual parts of a bankcard number so that the original bankcard 10 number and the transformed bankcard number are indistinguishable from each other. While Wong and Brody teach how to obtain an equivalent bankcard number from an original bankcard number, using this invention approach of offsets from table of offsets, applied to individual bankcard numbers is not taught or fairly suggested by Wong and Brody.

## **CONCLUSION**

5 In conclusion, Applicant respectfully asserts that claims 52 to 80 and 84 to 85 are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 310-540-4095 for any reason that would advance the instant application to issue.

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Respectfully submitted,



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